

SUPERIOR COURT OF WASHINGTON IN AND FOR FRANKLIN COUNTY

WASHINGTON TRUST BANK, a
Washington banking corporation,

Plaintiff,

v.

EASTERDAY RANCHES, INC., a
Washington corporation; EASTERDAY
FARMS, a Washington general partnership;
CODY EASTERDAY, individually; DEBBY
EASTERDAY, individually; KAREN
EASTERDAY, individually and in her capacity
as personal representative of the Estate of Gale
Easterday,

Defendants.

NO. 21-2-50049-11

MOTION TO SHORTEN TIME

Plaintiff Washington Trust Bank ("WTB" or "Plaintiff"), respectfully requests that the Court grant an Order shortening time for hearing on WTB's Motion for Appointment of Receiver, filed concurrently with the Complaint herein.

An immediate hearing is necessary in order to avoid extreme hardship to WTB's interests, as well as the potential interests of others. This includes the fact that Defendants are indebted to WTB for over \$44,000,000, are in default of their debt, have been credibly accused of fraud (including record evidence demonstrating that Defendants admitted to engaging in a

MOTION TO SHORTEN TIME: 1

LAW OFFICES OF
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01988131 1/29/21

1 fraudulent scheme) in Tyson Fresh Meats, Inc. v. Easterday Ranches, Inc., Franklin County
2 Superior Court under Cause No. 21-2-50034-11, and have already liquidated a valuable asset in
3 a potential "fire sale."



4 Counsel for Defendants are being notified concurrently with this filing regarding the
5 Motion to Appoint a Receiver and this Motion for Order Shortening Time. In addition,
6 Plaintiff's representatives are concurrently giving notice of such motions to the President of
7 Defendants Easterday Ranches, Inc., and Easterday Farms. Forthwith upon the Court's action
8 on Motion for Order Shortening time, all of the above will be given notice of the hearing on the
9 Motion for Appointment of Receiver.

10 This Motion for Order Shortening Time is based on the likelihood of significant and
11 irreparable harm occurring if no relief is granted in the immediate term. Given the size of
12 Defendants' debt and the serious and credible allegations of their financial impropriety, the
13 Court should consider the appointment of a receiver without delay.

14 It is imperative that a hearing be held immediately in order that the Court hear evidence
15 and be in a position to rule on the Appointment of Receiver to protect and preserve Defendants'
16 assets that secure repayment of a loan from Washington Trust Bank. Without this immediate
17 hearing, WTB's senior security interest in various collateral (currently in Defendants' custody)
18 is in danger.

19 DATED this 29th day of January, 2021.

20 LUKINS & ANNIS, P.S.

21
22 By  WSBA #50029 
23 TREVOR R. PINCOCK
24 WSBA #36818
25 Attorneys for Plaintiff
Washington Trust Bank

MOTION TO SHORTEN TIME: 2

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of January 2021, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to all counsel of record as follows:

Cody Easterday
5235 N Industrial Way
Pasco, WA, WA 99301
cody@easterdayfarms.com

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (FAX)
☒ Via email

Peter Richter
Peter Richter:
200 South Wacker Drive, 31st Floor
Chicago, IL 60606
prichter@paladinmgmt.com

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (FAX)
☒ Via email

R. Crane Bergdahl
6119 Burden Blvd., Suite A
Pasco, WA 99301
P.O. Box 2755
Pasco, WA 99302
cranelaw@msn.com

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (FAX)
☒ Via email

CHS Capital, LLC dba CHSC NM
5500 Cenex Dr.
Inver Grove Heights, MN 550077

☐ U.S. Mail
☐ Hand Delivered
☒ Overnight Mail
☐ Telecopy (FAX)
☐ Via email

U.S. Small Business Administration
1545 Hawkins Blvd, Suite 202
El Paso, TX 79925

☐ U.S. Mail
☐ Hand Delivered
☒ Overnight Mail
☐ Telecopy (FAX)
☐ Via email

El Paso District Office
915.834.4600

☐ U.S. Mail
☐ Hand Delivered

MOTION TO SHORTEN TIME: 3

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1 DL0050@sba.gov

☐ Overnight Mail
☐ Telecopy (FAX)
☒ Via email

2 Office of General Counsel

3 409 3rd Street NW

4 Washington, DC 20416

5 Brittany Biles, GC

6 Nina Levine, Deputy GC

7 General Inquiries: answerdesk@sba.gov

8 AXA Equitable Life Insurance Company

9 1290 Avenue of the Americas

10 New York, NY 10104

11 Customer Service: 877.222.2144

☐ U.S. Mail
☐ Hand Delivered
☒ Overnight Mail
☐ Telecopy (FAX)
☐ Via email

12 Equitable Financial Life Insurance Company

13 16th Floor, 1290 Avenue of the Americas

14 New York, NY 10104

15 Customer Service: 877.222.2144

☐ U.S. Mail
☐ Hand Delivered
☒ Overnight Mail
☐ Telecopy (FAX)
☐ Via email

16 The Prudential Insurance Company of America

17 2100 Ross Avenue, Suite 2500

18 Dallas, TX 75201

19 Loan Nos. 717611839 & 717611840

20 214.777.4500

21 214.721.6007

☐ U.S. Mail
☐ Hand Delivered
☒ Overnight Mail
☐ Telecopy (FAX)
☐ Via email

22 Rabo Agrifinance, Inc., as Mortgagee

23 12443 Olive Blvd, Suite 50

24 St. Louis, MO 63141

25 855.722.7766

CustomerConnect@RaboAg.com

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
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☒ Via email

Big Bend Electric Cooperative, Inc.

P.O. Box 348

Ritzville, WA 99169

866.844.2363

Admin@bbec.org

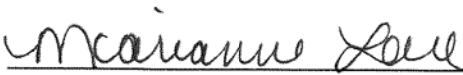
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MOTION TO SHORTEN TIME: 4

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MARIANNE LOVE, PARALEGAL

MOTION TO SHORTEN TIME: 5

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